

AGENDA

for a regular meeting of the Pittsfield Town Council, to be held on Tuesday, February 1, 2011 at 7:30 PM in the Council Chambers.

1. Open Meeting/Pledge of Allegiance, followed by Moment of Silence.
2. Adoption of minutes of the regular meeting held on January 18, 2011
3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**

Presentation of Certificate to Persis C. Smith by the Mayor

Presentation of Certificate to Donna Chale by the Mayor

Community and Economic Development Activities and Events

4. **PUBLIC HEARINGS/OLD BUSINESS: NONE**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES**
6. **NEW BUSINESS:**

ORDINANCE 11-01: (To be set to Public Hearing 02/15/2011) That the Town of Pittsfield Town Council hereby ordains the purchase and financing of a fire truck on the following terms:

1. The Town waives the requirement of a competitive bid for the fire truck purchase and authorizes the purchase of an aerial device at a purchase price to not exceed \$500,000, which amount is hereby appropriated.
2. The purchase of the fire truck authorized above shall be financed by expending \$100,000 from the Fire Truck Reserve Accounts and by borrowing up to \$400,000 with such dates, maturities, denominations, interest rate(s) and other details as the Town Treasurer and the Mayor of the Town Council shall determine. The Town is further authorized, if deemed appropriate by the Town Treasurer and Mayor of the Town Council to borrow up to \$400,000 pursuant to a loan, bond or lease purchase agreement, which agreement may be with the vendor of the fire truck or its finance company.
3. This Ordinance shall take effect in 30 days.

ORDER 11-04:

WHEREAS, the Town Council desires to authorize the issuance of the Town's 2011 General Obligation Bonds (the "Bonds") and the sale of such Bonds to the Maine Municipal Bond Bank, pursuant to

Ordinance 92-24, as adopted by the Pittsfield Town Council on November 24, 1992, to refund the Town's \$900,000 1999 Water System Improvement General Obligation Bond, dated April 13, 1999, previously issued by the Town to the United States of America, Rural Development, to finance costs of improvements to the Town's water system;

NOW, THEREFORE, be it voted and resolved by the Town Council of the Town as follows:

ORDERED: That pursuant to Maine law and the Town Charter and Ordinance 92-24, as adopted by the Pittsfield Town Council on November 24, 1992, and all other authority thereto enabling, and to provide funds to refund the \$900,000 1999 Water System Improvement General Obligation Bond, dated April 13, 1999 previously issued by the Town to the United States of America, Rural Development, to finance costs of improvements to the Town's water system, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$ 666,147 from the Maine Municipal Bond Bank (the "Bank") pursuant to a Loan Agreement between the Town and the Bank providing for a loan from the Bank in the principal amount not in excess of \$ 666,147, and the Treasurer of the Town be and hereby is authorized and empowered, in the name and on behalf of the Town, to execute and deliver, under the seal of the Town, attested by its Clerk, a Loan Agreement to be in the usual and ordinary form utilized by the Bank, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer may approve, with his approval to be conclusively evidenced by his execution thereof;

ORDERED: That pursuant to the provisions of Maine law and the Town Charter, and all other authority thereto enabling, and in order to provide funds for the purposes described in the foregoing Order, the Town Council of the Town hereby approves and authorizes the issue, sale and delivery to the Bank as evidence of the aforesaid loan and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$ 666,147, such Bonds to mature and be payable on such dates and in such amounts as approved by the Town Treasurer; to bear interest at the rates specified by the Bank for its Spring 2011 issue, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by his execution and delivery of such Bonds, payable semi-annually; to be issued as a single, fully registered Bond in the an amount not to exceed \$ 666,147 maturing and payable in installments as approved by the Town Treasurer; to be signed by the Town Treasurer and countersigned by the Mayor of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve, their approval to be conclusively evidenced by their execution thereof; and further

ORDERED: That the Treasurer of the Town and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing from said Bank of up to \$ 666,147 and the issue and delivery to said Bank as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized in the foregoing Orders; and further

ORDERED: That the Town covenants and certifies that no part of the proceeds of the issue and sale of such Bonds authorized to be issued by the foregoing Orders (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause such Bonds of the Town

to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code").

RESOLUTION 11-15: Resolved that the Town Council authorize the Town Attorney to begin the process to discontinue Stinson Avenue from Main Street to Library Street as requested by Maine Central Institute upon the execution of Agreement between the Town and MCI, and receipt of \$15,000 deposit against costs per the agreement.

7. **DISCUSSION ITEMS: NONE**

8. **REPORTS:** Audience, Council

9. **ADJOURNMENT**